

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2016/2017

UHL2612 – HUMAN RIGHTS LAW (All Sections / Groups)

4 MARCH 2017

Reading Time : 2.30PM – 2.45PM.
(15 Minutes)

Answering Time: 2.45PM – 5.45PM.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have fifteen minutes during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining THREE HOURS in which to answer the questions.
2. This Question paper consists of 3 pages with 5 Questions only.
3. Attempt FOUR out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.
4. Students are not allowed to bring in any statute into the Examination Hall.
5. Please write all your answers in the Answer Booklet provided.

Instruction: Answer **FOUR** questions only.

QUESTION 1

a) Would becoming a party to The International Covenant on Civil and Political Rights (ICCPR) and The International Covenant on Economic, Social and Cultural Rights (ICESCR) improve human rights practices in Malaysia? Discuss.

(15 marks)

b) Do you think that it is sufficient for Malaysia to be a party to ICCPR and ICESCR and that it is not necessary for Malaysia to be a party to the more specialised international human right conventions? Discuss.

(10 marks)

(25 marks)

QUESTION 2

"Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group."

(Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (1948))

Discuss the elements that constitute genocide and give examples of genocide from around the world.

(25 marks)

Continued.....

QUESTION 3

a) Discuss the benefits of The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

(12 marks)

b) Discuss the progress of women's rights in Malaysia after the inception of CEDAW by making reference to cases.

(13 marks)

(25 marks)

QUESTION 4

"Children's rights in Malaysia have significantly progressed since Malaysia acceded to the Convention on The Rights of The Child (CRC), in 1995 and introduced the Child Act in 2001. Many initiatives to realize and uphold the rights of children have been advanced by both government and civil society. Considerable progress has, for example, been achieved in the field of education and primary healthcare for children."

a) Discuss how CRC can help in improving the rights of children in Malaysia.

(12 marks)

b) Critically analyse the reservations made by Malaysia on some of the Articles under CRC.

(13 marks)

(25 marks)

Continued.....

QUESTION 5

“Theories of human rights over the past half-century have broadly appeared to perpetuate a rigid dichotomy between a universalistic conception of human rights and a relativistic approach. The former so-called “Western” model has been accused of advocating an individualistic approach to rights that prioritises the individual’s rights against society; by contrast, the “Asian values” approach emphasises social stability, privileging community and duties over the rights of the individual.”

(Tew.Y., 2012)

Discuss.

(25 marks)

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